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PTO/SB/21 (09-04)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/008,997
Filing Date	December 5, 2001
First Named Inventor	John W. SLIWA, Jr.
Art Unit	3739
Examiner Name	Miehael F. PEFFLEY
Attorney Docket Number	0E-040026US / 82410.0192

ENCLOSURES (Check all that apply)

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input type="checkbox"/> Amendment/Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Information Disclosure Statement

<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
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<input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
* Request for Certificate of Correction under 37 CFR 1.323 (2p)
* PTO/SB/44 (1p)
* Copy of Preliminary Amendment (5p) |
|---|---|--|

Remarks

Certificate
MAR 12 2007
of Correction

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Wiley Rein LLP		
Signature			
Printed name	Heather H. Ramirez		
Date	March 7, 2007	Reg. No.	57,369

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). FEE TRANSMITTAL For FY 2006		Complete if Known	
		Application Number	10/008,997
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	December 5, 2001
TOTAL AMOUNT OF PAYMENT (\$) 100.00		First Named Inventor	John SLIWA
		Examiner Name	Michael F. PEFFLEY
		Art Unit	3739
		Attorney Docket No.	0E-040026US / 82410.0192

METHOD OF PAYMENT (check all that apply)	
<input type="checkbox"/> Check	<input type="checkbox"/> Credit Card
<input type="checkbox"/> Money Order	<input type="checkbox"/> None
<input type="checkbox"/> Other (please identify): _____	
<input checked="" type="checkbox"/> Deposit Account	Deposit Account Number: 50-1129 Deposit Account Name: Wiley Rein LLP
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input checked="" type="checkbox"/> Charge fee(s) indicated below	<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17	<input checked="" type="checkbox"/> Credit any overpayments

FEE CALCULATION							
1. BASIC FILING, SEARCH, AND EXAMINATION FEES							
	FILING FEES		SEARCH FEES		EXAMINATION FEES		
		Small Entity		Small Entity		Small Entity	
Application Type	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fees Paid (\$)
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	
2. EXCESS CLAIM FEES							
						Small Entity	
						Fee (\$)	Fee (\$)
Fee Description							
Each claim over 20 (including Reissues)						50	25
Each independent claim over 3 (including Reissues)						200	100
Multiple dependent claims						360	180
Total Claims		Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims		
- 27 =		x	=		Fee (\$)	Fee Paid (\$)	
Indep. Claims		Extra Claims	Fee (\$)	Fee Paid (\$)			
- 3 =		x	=				
3. APPLICATION SIZE FEE							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof		Fee (\$)	Fee Paid (\$)		
0	- 100 =	/50	(round up to a whole number) x	=			
4. OTHER FEE(S)							
Non-English Specification, \$130 fee (no small entity discount)							
Other (e.g., late filing surcharge): Fee for Certificate of Correction under 37 CFR § 1.323						\$100.00	

SUBMITTED BY			
Signature		Registration No. (Attorney/Agent)	57,369
Name (Print/Type)	Heather H. Ramirez	Telephone	(202) 719-4642
		Date	March 7, 2007

MAR 12 2007



PATENT
Attorney Docket No.: 0E-040026US / 82410.0192

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
John W. SLIWA, Jr., et al.

Patent No.: 6,858,026 B2
(Issued February 22, 2005)

Application No.: 10/008,997

For: METHODS AND DEVICES FOR
ABLATION

REQUEST FOR CERTIFICATE OF CORRECTION UNDER 37 C.F.R. § 1.323

Certificate of Corrections Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants respectfully request a Certificate of Correction under 37 C.F.R. § 1.323 be entered in the above-identified patent. This request is being submitted to correct three errors in the issued patent referenced above, as enumerated on the attached Certificate of Correction Form PTO/SB/44. Since the errors are believed to be due to Applicants' mistake, the fee set forth in 37 C.F.R. § 1.20(a) is attached.

Claims 4 and 5 are being corrected to recite "a system" instead of a "method." Both claims depend directly or indirectly from independent claim 1, which recites "a system for ablating tissue with ultrasound energy." Therefore, it is clear that dependent claims 4 and 5 should reference the system of claim 1. Also, claim 5 is being corrected to depend from claim 4 instead of claim 2. Claim 5 recites "wherein the assessing means is carried out by measuring an electrical impedance." Claim 2, from which claim 5 currently depends, does not recite "assessing means," nor does claim 1 from which claim 2 depends. Claim 4 recites "means for assessing the adequacy of contact between the ablating elements and the tissue structure being ablated"; thus, it is clear that claim 5 should depend from claim 4. The mistakes are of a clerical or typographical nature, and further, occurred in good faith. The mistakes for which Applicants are requesting correction occurred in a Preliminary Amendment submitted on November 2, 2001 (see attached). The requested corrections do not constitute new matter and do not require reexamination.

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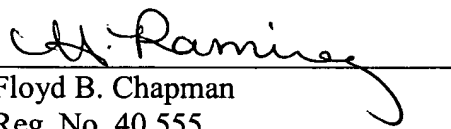
PATENT
Patent No. 6,858,026
Serial No. 10/008,997
Attorney Docket No.: 0E-040026US / 82410.0192

If any additional fees are due or required to process or enter this request, please charge the undersigned's Deposit Account No. 50-1129, with reference to Attorney Docket No. 0E-040026US/82410.0192.

Respectfully submitted,
WILEY REIN LLP

Date: March 7, 2007

By:


Floyd B. Chapman
Reg. No. 40,555
Heather H. Ramirez
Reg. No. 57,369

WILEY REIN LLP
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**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**Page 1 of 1

PATENT NO. : 6,858,026

APPLICATION NO.: 10/008,997

ISSUE DATE : February 22, 2005

INVENTOR(S) : SLIWA, John W., Jr., et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Claim 4, line 1, "method" should be changed to --system--.

Claim 5, line 1, "method" should be changed to --system--; and "2" should be changed to --4--.

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Wiley Rein LLP, Attn: Patent Administration
1776 K Street, NW
Washington D.C. 20006

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Attorney Docket No. 003-007-C4

1-30-02
#21 PRE
PATENT AMOR
A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)

JOHN W. SLIWA, *et al.*)

Examiner: Unassigned

Application No.: Unassigned)

Art Unit: Unassigned

Filed: Herewith)

For: METHODS AND DEVICES)
FOR ABLATION)

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Prior to examination, please amend the subject application as indicated below.

IN THE SPECIFICATION:

Please delete the first paragraph and insert the following corrected paragraph:

--The present application is a continuation of U.S. Patent Application 09/884, 435, filed June 19, 2001, which is a continuation-in-part of Application Serial No. 09/614,991, filed July 12, 2000, which is a continuation-in-part of Application Serial No. 09/507,336 filed February 18, 2000 which is a continuation-in-part of Application Serial No. 09/356,476, filed July 19, 1999, which is a continuation-in-part of Application Serial No. 09/157,824, filed September 21, 1998, which is a continuation-in-part of Application Serial No. 08/943,683, filed October 15, 1997, which is a continuation-in-part of Application Serial No. 08/735,036, filed October 22, 1996, the full disclosures of which are incorporated herein by reference.--

MAR 12 2007

IN THE CLAIMS:

Please delete claims 1 through 60 in this application and add the following new claims:

--61. A method of ablating a cardiac tissue, comprising the steps of:
providing an ablating device having a first transducer and a second transducer;
positioning the ablating device against cardiac tissue;
activating the first transducer at a first frequency to ablate cardiac tissue; and
activating the second transducer at a second frequency to ablate cardiac tissue.

62. The method of claim 61, further comprising the step of:
moving the ablating device so that the activating steps are carried out to ablate the
same cardiac tissue.

63. The method of claim 61, wherein:
the activating steps are carried out to ablate different cardiac tissue.

64. The method of claim 61, further comprising:
characterizing at least a portion of the cardiac tissue; and
selecting at least one of the first and second transducers to ablate the at least
portion of the cardiac tissue based upon the characterizing step.

65. A method of ablating a cardiac tissue, comprising the steps of:
providing an ablating device having a first transducer and a second transducer, the
first and second transducers both being focused, the first and second transducers having different
focal lengths;
positioning the ablating device against cardiac tissue;
activating the first transducer to ablate cardiac tissue; and
activating the second transducer.

66. The method of claim 65, wherein:
the providing step is carried out with the first transducer having a first focal length
and the second transducer has a second focal length different than the first focal length.

67. The method of claim 65, wherein:
the providing step is carried out with the ablating device having a body, the first
and second transducers being movable along the body.

68. The method of claim 67, wherein:
the providing step is carried out with the first and second transducers being
slidable along the body.

68. The method of claim 67, further comprising the step of:
positioning the body at a selected location on an epicardial surface; and
moving the first and second transducers after the positioning step.

70. A device for ablating tissue, comprising:
a body;
a source of focused ultrasound mounted to the body, the focused ultrasound
having a focus; and
a flexible membrane filled with a substance which receives the focused ultrasound
and transmits the ultrasound energy to the tissue.

71. The device of claim 70, wherein:
the flexible membrane is inflatable to move the focus relative to the tissue to be
ablated.

72. The device of claim 70, wherein:
the flexible membrane tilts the body when inflated.

73. The device of claim 70, wherein:

the source of focused ultrasound includes an ultrasound transducer.

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74. A system for ablating tissue with ultrasound energy, comprising:
an ablating element which emits ultrasound energy;
a control system coupled to the ablating element, the control system controlling activation of the ablating element to automatically change a characteristic of the ablating element when ablating the same tissue structure during a first time period and a second time period.

75. The system of claim 74, wherein:
the control system is configured to automatically change a frequency of the ablating element.

76. The system of claim 74, wherein:
the control system is configured to automatically change the power of the ablating element.

77. The system of claim 74, wherein:
the ablating element emits focused ultrasound which is focused in at least one direction.

78. The system of claim 74, wherein:
the control system automatically moves the focus relative to the tissue structure being ablated.

79. The system of claim 77, wherein:
the control system moves the focus closer to a near surface of the tissue structure being ablated.

80. The method of claim 74, wherein:
the control system includes means for assessing the adequacy of contact between the device and the tissue structure being ablated.

A1

81. The method of claim 78, wherein:
the assessing means is carried out by measuring an electrical impedance.--

SECRET

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